



CRL OP(MD). No.21959 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 04.12.2025

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THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

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Vicky @ Vignesh

... Petitioners

Vs.

1. State of Tamilnadu Rep by

The Inspector of Police,

Palayamkottai Police Station,

Tirunelveli District.

Crime No.500/2025.

2.Petchimuthu

... Respondents

PRAYER :- This Petition is filed under Section 528 BNSS, to call for the records in Crime No.500 of 2025, dated 25.09.2025 on the file of the first respondent and quash the same.

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For Petitioner : Mr.M.Anubala
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side) for R1
: Ms.P.Srivithiya for R2

ORDER

This Criminal Original Petition is filed seeking to quash the first Information Report in Crime No.500 of 2025, on the file of the first respondent Police, which was registered for the offences under Section 303(2) of BNS, 2023.

2. The gist of the allegations is that the defacto complainant is running a car paint workshop namely, Pechimuthu Paint Car Workshop situated in the street opposite Reliance, Melapalayam. On 20.09.2025, one Suresh, brought his Bolero vehicle bearing Registration No.TN 22 CZ 1274 to the complainant's workshop for painting work. On the same day, another person namely, Vicky also brought his Swift car for similar work. During the complainant's absence from the workshop on 20.09.2025, the said Vicky came to the workshop and informed the complainant's worker Kannan that he needed to move the Bolero vehicle aside for convenience and hence, he obtained key of the Bolero vehicle



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and drove it away without permission, thereby, committing theft of the said vehicle. Hence, the present complaint.

3. Admittedly, the petitioner and the second respondent are residing in the same locality and they have now resolved the dispute amicably. A Joint Compromise Memo dated 17.11.2025 has been filed before this Court.

4. The petitioner and the second respondent / defacto complainant are present before this Court in person and are identified by the Inspector of Police, Palayamkottai Police Station, Tirunelveli District. The defacto complainant has categorically stated that he does not wish to pursue the FIR against the petitioner. This Court is satisfied that the compromise is voluntary and not the result of any coercion or undue influence.

5. The law relating to quashment of criminal proceedings on the basis of compromise between the parties is well settled. In ***Gian Singh v. State of Punjab***¹, the Hon'ble Supreme Court authoritatively

¹ 2012 10 SCC 303



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held that the inherent power of the High Court under Section 482 CrPC is of wide amplitude and may be exercised to quash criminal proceedings even in respect of non-compoundable offences, provided the dispute is essentially private in nature and the quashment would secure the ends of justice. The Court, however, drew a clear distinction between offences arising out of personal or matrimonial disputes, commercial transactions and similar private wrongs, and serious or heinous offences having grave impact on society, holding that the latter category cannot ordinarily be quashed merely on the basis of a settlement.

6. The said principles were succinctly crystallised in ***Parbatbhai Aahir v. State of Gujarat***², wherein the Supreme Court, after surveying the earlier precedents, laid down broad propositions governing the exercise of inherent jurisdiction on the basis of compromise. It was emphasised that the paramount consideration is whether the continuance of the criminal proceedings would be unfair or contrary to the interests of justice, and whether the dispute predominantly bears a civil or private character, rendering the possibility of conviction remote and bleak.

² (2017) 9 SCC 641



7. In *State of Madhya Pradesh v. Laxmi Narayan*³, the

Supreme Court reiterated and clarified the limitations on such power, holding that offences of a serious nature, particularly those involving mental depravity, grave violence, or offences against society at large, cannot be quashed on the basis of compromise, even if the parties have amicably settled the dispute. The Court further cautioned that while examining compromise quash petitions, the High Court must consider the nature and gravity of the offence, the conduct of the accused, and the stage of the proceedings, and the overall impact on society and must satisfy itself that the settlement is voluntary and not the result of coercion or undue influence.

8. Applying the aforesaid principles to the facts of the present case, this Court has carefully examined the nature and gravity of the allegations, the relationship between the parties, the conduct of the petitioner, the stage of the proceedings, and the voluntary nature of the compromise.

3 (2019) 5 SCC 688



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9. The dispute in question is predominantly private in character and does not involve any offence having serious or grave impact on society at large. In view of the compromise arrived at between the parties, the possibility of conviction is rendered remote and bleak. Continuation of the criminal proceedings would therefore serve no useful purpose and would amount to an abuse of the process of Court.

10. Accordingly, the impugned FIR in Crime No.500 of 2025, dated 25.09.2025 on the file of the first respondent is hereby quashed in entirety and the Criminal Original Petition stands allowed. The joint compromise memo dated 17.11.2025 shall form part and parcel of this order.

04.12.2025

Index: Yes/ No
Internet: Yes / No
vsg



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TO

1. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI,J

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